

I certify that the attached is a true and
correct copy of HB 2859
APR 23 1991
1991 APR 20 PM 2:29
HOUSE OF REPRESENTATIVES
Judiciary
Gregg Murray
Clerk of the House

FILED APR 23 1991

By Kumpel

H. B. No. 2859

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the County Court at Law of Comal County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.0482(a), Government Code, is amended to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Comal County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$50,000 [\$20,000], excluding interest; and

(B) family law cases and proceedings.

SECTION 2. This Act takes effect September 1, 1991.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

AFFIDAVIT OF PUBLISHER

THE STATE OF TEXAS }
COUNTY OF COMAL

NOTICE This is to give notice of intent to introduce in the 72nd Legislature, Regular Session, a bill to be entitled an Act relating to the jurisdiction of the county court at law of Comal County.

BEFORE ME, the undersigned authority, on this day personally appeared David Sullens

known to me, who, being duly sworn, on his oath deposes and says that he is the

Publisher

of the New Braunfels Herald and Zeitung,

a newspaper of general circulation published in Comal County; that said newspaper has been continuously and regularly published in said County for a period of more than one year; that a copy of the within foregoing notice was published in said newspaper for a period of One

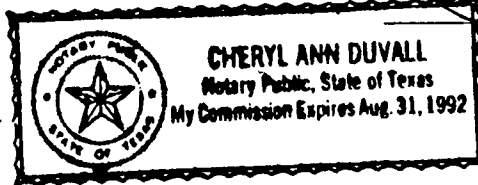
day(s) before the return day named therein, such publication being on the following dates:

03-24-91

and a newspaper copy of which is hereto attached.

Signed

Sworn to and subscribed before me this, the 28th day of March 19 91



Notary Public, State of Texas

Publisher's Fees \$ 8.00

HOUSE COMMITTEE REPORT

91 MAY 14 PM 8:46

1st Printing

By

Kumpel

H. B. No. 2859

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the County Court at Law of Comal County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.0482(a), Government Code, is amended to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Comal County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$50,000 [~~\$20,000~~], excluding interest; and

(B) family law cases and proceedings.

SECTION 2. This Act takes effect September 1, 1991.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

MAY 9, 1991
(date)

Sir:
We, your COMMITTEE ON JUDICIARY,
to whom was referred HB 2851 have had the same under consideration and beg to report
(measure)

back with the recommendation that it
☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
A fiscal note was requested. ☒ yes ☐ no An author's fiscal statement was requested. ☒ yes ☐ no
A criminal justice policy impact statement was requested. ☐ yes ☒ no
An equalized educational funding impact statement was requested. ☐ yes ☒ no
An actuarial analysis was requested. ☐ yes ☒ no
A water development policy impact statement was requested. ☐ yes ☒ no
A federal funds impact statement was requested. ☐ yes ☒ no
☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.
This measure ☐ proposes new law. ☒ amends existing law.
House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Denton, Ch.	X			
Smithee, V.C.				X
Goodman				X
Hartnett	X			
Hudson	X			
Moreno				X
Sadler	X			
Schechter	X			
Uher	X			

Total 6 aye
 0 nay
 0 present, not voting
 3 absent

Steve Denton
CHAIRMAN
Wesley K. McCall
COMMITTEE COORDINATOR

BILL ANALYSIS

By: KUEMPEL

H.B. 2859

BACKGROUND:

As supported by the Comal County Bar Association, the County Judiciary, and the Comal County Commissioners Court, the County Court at Law of Comal County seeks a jurisdictional expansion such that it may consider civil cases in which the matter in controversy does not exceed \$50,000, excluding interest.

PURPOSE:

This bill proposes expanding Comal County Court at Law jurisdiction to \$50,000, excluding interest, in civil cases.

RULEMAKING AUTHORITY:

It is the opinion of this committee that this bill does not grant additional rulemaking authority to any state agency, officer, department, or institution..

SECTION BY SECTION ANALYSIS:

Section 1. This section amends Section 25.0482(a), Government Code, to allow a County Court at Law in Comal County to consider civil cases in which the matter in controversy does not exceed \$50,000, excluding interest.

SECTION 2. Effective Date, September 1, 1991.

SECTION 3. Emergency Clause.

SUMMARY OF COMMITTEE ACTION:

Pursuant to an announcement on the House floor, the 5 day posting rule was suspended, and H.B. 2859 was considered in a public hearing May 9, 1991. There were no witnesses testifying on, for, or against the bill. A motion to report the bill favorably to the full House with the recommendation that it do pass and be printed; and with the recommendation that it be placed on the local and consent calendar, carried with a vote of 6 Ayes, 0 Nays, 0 PNV, 3 Absent.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

May 8, 1991

TO: Honorable Betty Denton, Chair
Committee on Judiciary
House of Representatives
Austin, Texas

IN RE: House Bill No. 2859
By: Kuempel

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2859 (relating to the jurisdiction of the County Court at Law of Comal County) this office has determined the following:

The bill would expand the subject matter jurisdiction of the County Court at Law of Comal County which could cause certain civil suits to be filed at the county court level rather than in the partially state funded district court.

No significant fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, DF, KVO, PA



The State of Texas House of Representatives

EDMUND KUEMPEL DISTRICT 46 • COMAL, GUADALUPE & KENDALL COUNTIES

May 1, 1989

The Honorable Betty Denton
Chairperson, House Committee on Judiciary
State Capitol Building
Austin, Texas 78768-2910

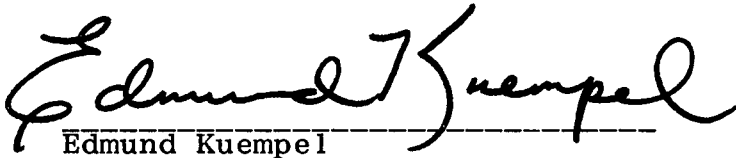
RE: Author's Fiscal Statement, House Bill 2859
(relating to the jurisdiction of the County Court
of Law at Comal County.

Representative Denton,

In response to your request for an Author's Fiscal
Statement on House Bill 2859, I have determined
the following:

1. COST TO STATE GOVERNMENT: no fiscal im-
plication is anticipated.
2. COST TO COUNTY GOVERNMENT: no fiscal im-
plication is anticipated.

Please let me know if I can provide further infor-
mation to you.


Edmund Kuempel

COMMITTEES: ENVIRONMENTAL AFFAIRS, RETIREMENT & AGING
CHAIRMAN — HOUSE ADMINISTRATION

P.O. BOX 2910 • AUSTIN, TEXAS 78768-2910 • 512-463-0602

4

HOUSE ENGROSSMENT

91 MAY 22 AM 5:39

HOUSE OF REPRESENTATIVES

By Kuempel

H.B. No. 2859

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the County Court at Law of Comal County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.0482(a), Government Code, is amended to read as follows:

(a) In addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Comal County has:

(1) concurrent with the county court, the probate jurisdiction provided by general law for county courts; and

(2) concurrent jurisdiction with the district court in:

(A) civil cases in which the matter in controversy exceeds \$500 and does not exceed \$50,000 [~~\$20,000~~], excluding interest; and

(B) family law cases and proceedings.

SECTION 2. This Act takes effect September 1, 1991.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 8, 1991

**TO: Honorable Betty Denton, Chair
Committee on Judiciary
House of Representatives
Austin, Texas**

**IN RE: House Bill No. 2859
By: Kuempel**

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2859 (relating to the jurisdiction of the County Court at Law of Comal County) this office has determined the following:

The bill would expand the subject matter jurisdiction of the County Court at Law of Comal County which could cause certain civil suits to be filed at the county court level rather than in the partially state funded district court.

No significant fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, DF, KVO, PA



The State of Texas House of Representatives

EDMUND KUEMPEL DISTRICT 46 • COMAL, GUADALUPE & KENDALL COUNTIES

May 1, 1989

The Honorable Betty Denton
Chairperson, House Committee on Judiciary
State Capitol Building
Austin, Texas 78768-2910

RE: Author's Fiscal Statement, House Bill 2859
(relating to the jurisdiction of the County Court
of Law at Comal County.

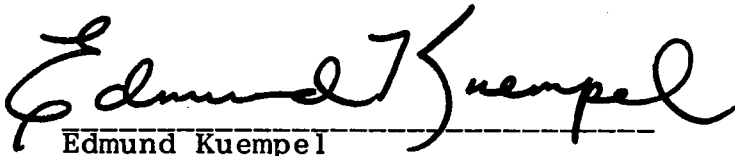
Representative Denton,

In response to your request for an Author's Fiscal
Statement on House Bill 2859, I have determined
the following:

1. COST TO STATE GOVERNMENT: no fiscal im-
plication is anticipated.

2. COST TO COUNTY GOVERNMENT: no fiscal im-
plication is anticipated.

Please let me know if I can provide further infor-
mation to you.


Edmund Kuempel

COMMITTEES: ENVIRONMENTAL AFFAIRS, RETIREMENT & AGING
CHAIRMAN — HOUSE ADMINISTRATION

P.O. BOX 2910 • AUSTIN, TEXAS 78768-2910 • 512-463-0602

2

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE

May 23, 1991

TO: Honorable Gene Green, Chairman
Committee on Jurisprudence
Senate Chamber
Austin, Texas

IN RE: House Bill No. 2859,
as engrossed
By: Kuempel

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Bill No. 2859, as engrossed (relating to the jurisdiction of the County Court at Law of Comal County) this office has determined the following:

The bill would expand the subject matter jurisdiction of the County Court at Law of Comal County which could cause certain civil suits to be filed at the county court level rather than in the partially state funded district court.

No significant fiscal implication to the State or units of local government is anticipated.

Source: LBB Staff: JO, JWH, DF, KVO, LC

H. B. No.

2859

By

Kneipel

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of the County Court at Law of
Comal County.

APR 23 1991

1. Filed with the Chief Clerk.

APR 30 1991

2. Read first time and Referred to Committee on

Judiciary

MAY 9 1991

3. Reported ☒ favorably ^(as amended)
_(as substituted) and sent to Printer at 3:00pm

MAY 14 1991

4. Printed and distributed at 8:46p

MAY 14 1991

MAY 15 1991

5. Sent to Committee on Calendars at 8:02am

MAY 21 1991

6. Read second time ~~(amended)~~; passed to third reading ~~(failed)~~ by (Non-Record Vote)
(Record Vote of _____ yeas, _____ nays, _____
~~present, not voting~~).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas,
_____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____
present, not voting).

MAY 22 1991

9. Read third time ~~(amended)~~; finally passed ~~(failed)~~ by (Non-Record Vote) ~~(Record Vote)~~
of _____ yeas, _____ nays, _____
~~present, not voting~~.

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed
prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____
nays, and _____ present, not voting).

MAY 22 1991

12. Ordered Engrossed at 12:55a

MAY 22 1991

13. Engrossed.

MAY 22 1991

14. Returned to Chief Clerk at 5:39a

MAY 22 1991

15. Sent to Senate.

Betty Murray
Chief Clerk of the House

MAY 22 1991

16. Received from the House

MAY 23 1991

17. Read, referred to Committee on Jurisp.

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments,
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____

HOUSE OF REPRESENTATIVES

91 MAY 22 AM 5:39

HOUSE OF REPRESENTATIVES

91 MAY 14 PM 8:46

6584